Remarks/Arguments:

On page 2, the Official Action objects to the title of the invention as not being descriptive. Thus, Applicants have amended the title to be clearly indicative of the invention. Withdrawal of the objection is respectfully requested.

On page 2, the Official Action rejects claims 12 and 15 under 35 U.S.C. § 112. Claims 12 and 15 have been cancelled. There is no longer any recitation of "properly" in the claims. Withdrawal of the rejection is respectfully requested.

Claims 3 and 6, as amended, are pending in the above-identified application. Claims 16-19 have been newly added. On page 3, the Official Action rejects claims 3 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Kuwabara et al. (Japanese Patent No. JP411015850A) using both the Derwent and JPO abstracts and teachings in view of Postel et al. (FC0959, c. 1985), Bennett (Reliability of TCP/IP and the Internet, c. 1996) and McCarty (Linux Command Quick Reference, c. 1999). It is respectfully submitted, however, that the claims are patentable over the art of record for the reasons set forth below.

Independent claim 3 has been amended to recite data deletion means that automatically deletes data from the cache of the remote vehicle mounted terminal ("*data deletion means for automatically deleting pieces of data stored in permanent cache means of said vehicle mounted terminal*"). Data deletion is performed without user intervention in order to increase the available storage space in the permanent cache to a sufficient amount needed to store a transmitted pay-load ("*data being deleted automatically without user intervention to increase said available storage space and said permanent cache means of said vehicle mounted terminal to a sufficient amount of available storage space needed to store said transmitted data*").

On page 12, line 25 - page 13, line 10 of the specification, Applicants show data deletion means 114 of fixed information center 102, that automatically deletes data from permanent cache 105 of vehicle mounted terminal 101 (*"data deletion means 114 is operated to delete one or more pieces of data stored in the permanent cache means 105"*). Data deletion means 114 automatically and without user intervention deletes data in order to ensure sufficient storage space available in the permanent cache 105 (*"to ensure a sufficient storage space available in the permanent cache means 105"*). Thus, by deleting data in the storage space of the permanent cache 105, sufficient storage space is available for the pay-load that will be transmitted, thus avoiding a situation where the transmitted pay-load cannot be stored due to insufficient cache memory.

Neither Postel, Bennett nor McCarty, nor their combination, teach the ability to **automatically and without user intervention** delete data from a remote terminal. Specifically, in FTP as taught by Postel, a user would have to manually perform the deletion on selected pieces of data. Thus, the user is burdened in determining which pieces of data (and how much data) need to be deleted in order to ensure sufficient amount of space in the permanent cache. FTP cannot perform automatic deletion without user intervention, because it would not be able to determine which pieces of data should be deleted (a user would have to manually determine which pieces are least important, and thus manually delete these pieces).

Accordingly, for the reasons set forth above, claim 3 is patentable over the art of record. Claim 6 has been similarly amended to claim 3. Thus, claim 6 is also patentable over the art of record for the reasons set forth above.

Dependent claim 16 recites the ability of the obtaining means to automatically and without user intervention judge whether storage space is available in the permanent cache and the vehicle mounted terminal **before** transmission occurs (*"said available space obtaining means automatically without user intervention judges whether storage space is available in said permanent cache of said vehicle mounted terminal **before** said fixed information center transmits said data to said permanent cache of said vehicle mounted terminal"*).

Stated in the specification on page 12, lines 28-36, Applicants teach that available space obtaining means 113 is able to judge whether there is sufficient space available in the permanent cache (*"judge whether or not storage space is available in said permanent cache means 105 is sufficient"*). When it is judged that there is an insufficient amount of space, then the data may be deleted by data deleting means 114. When it is judged that there is sufficient space in the permanent cache, the data pay-load is transmitted and stored in the permanent cache means of the vehicle mounted terminal. These important steps are shown in at least Fig. 8 as steps S702, S703 and S704. Thus, the judgment as recited in idependent claim 16 automatically and without user intervention judges whether the storage space is available **before** transmission occurs.

Claim 18, dependent on claim 3, recites data being classified into two types. One type is data stored in temporary cache that is likely to be frequently updated, and the other is data being stored in the permanent cache which is unlikely to be frequently updated. This feature is at least supported in paragraph 47 of the specification. This feature is important because the system is more efficient if the frequently updated data is separated into a temporary cache away from the data that is unlikely to be frequently updated. In contrast, the JPO abstract of the Kuwabara
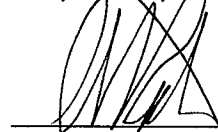
reference teaches that data that is frequently updated is stored in the permanent cache ("*home page of which requests are frequently generated or stored in the area P*"). Thus, Kuwabara teaches the opposite of the feature as recited in Applicants' claim 18. Applicants store frequently updated data in a temporary cache whereas Kuwabara teaches frequently updated data being stored in a permanent cache.

Claim 19, dependent on claim 6, is similar to claim 18 and the above discussion applies to claim 19.

Dependent claims 16-19 include all the features of the claims 3 and 6 from which they depend. Thus, new dependent claims 16-19 are also patentable over the art of record for the reasons set forth above.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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